

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD
MINUTES**

March 27, 2023

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Dianna Cooper-Bolinskey called the meeting to order at 9:00 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-14-1-12(a).

Board Members Present:

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, Board Chair
Jon Ferguson, LMFT, LCAC, Vice Chair
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair
C. Martin Justice, LMHC, LCAC
Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee
Stephan Viehweg, MSW, LCSW
Jacqueline Eitel, RN, Consumer Member

Board Members Not Present:

Kelley Gardner, LMFT, LMFT Section Chair
Vacant – Addictions Section
Vacant – Marriage and Family Therapy Section

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Dana Brooks, Assistant Board Director, Professional Licensing Agency
Adam Harvey, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda as amended.

Justice/Harner
Motion carried 7-0-0

III. APPROVAL OF MINUTES

There were no minutes for review.

IV. PERSONAL APPEARANCES

A. Probation

1. **Jennifer Campbell, LCSW, LCAC, License No. 34006177A, 87001499A**
Cause No. 2021 BHSB 0029

Ms. Campbell appeared as requested to discuss her ongoing probation. She stated that she is currently residing at the same location and is still self-employed. She stated that her supervisor is still Amanda Slaten. The Board inquired if she has submitted her quarterly reports. Ms. Campbell

stated that they were emailed to the Board this morning. The Board noted that she must send her reports a few days prior to the Board meeting to allow them to review the documentation. Ms. Campbell stated that she has does have conversations with her supervisor regarding ethics and boundaries. The Board reviewed the submitted continuing education courses she took with her and discussed what she learned. The Board noted that two of her courses are not in ethics and boundaries so she will need to complete additional continuing education in those areas for discussion at her next appearance.

2. **Kaitlyn Carlson, LCSW, License No. 34009130A**
Cause No. 2022 BHSB 0017

Ms. Carlson appeared as requested to discuss her ongoing probation. She stated that she is currently employed at IU Methodist as their Social Worker night shift. Her current supervisor is Laura Jefferson who she has made aware of her current licensure status. Ms. Carlson stated that she talks with her supervisor once a week and they talk about cases and self-care. Ms. Carlson stated that she submitted copies of her supervisor's support along with copies of her AA reports. She stated that her criminal probation will be complete in April. The Board discussed with Ms. Carlson how she balances work and self-care.

3. **John Demarsilis, LMHC, License No. 39003327A**
Cause No. 2021 BHSB 0017

Mr. Demarsilis did not appear.

4. **Amy Holbert, LCACA, License No. 87900030A**
Cause No. 2021 BHSB 0004

Ms. Holbert appeared requested to discuss her ongoing probation. She provided the Board with her reports for their review. Ms. Holbert stated that she is currently two years sober and that her progress is going well. She stated that she heard from the Nursing Board on her steps to appear before them. She stated that she meets with her supervisor once a week and they discuss ethical issues. Ms. Holbert stated that she attends personal counseling once a month and self-help meetings three times per week.

5. **Cara Juarez, LSW, License No. 33900293A**
Cause No. 2022 BHSB 0023

Ms. Juarez appeared as requested to discuss her ongoing probation. She stated that she is still working at Community Hospital in Anderson with her supervisor Elaine Smith. She stated that she has completed two continuing education courses but has not completed any new courses as she just returned from maternity leave. The Board discussed with her on how to find continuing education courses. Ms. Juarez stated that the criminal case has been dismissed. The Board noted she will need to provide a copy of the dismissal order.

6. **Jacob Mauck, LMHCA, Temporary Permit 99102099A**
Cause 2020 BHSB 0028

Mr. Mauck appeared as requested to discuss his ongoing probation. Mr. Mauck last appeared before the Board in December. Mr. Mauck provided a report from his clinical director for the Board to review. He stated that he has had no issues and is maintaining sobriety. He stated that he completed a program at Community Fairbanks Recovery Center, and he reported that his place of employment

is still Personal Counseling Services. He told the Board that he has not received any negative feedback at work. The Board discussed with him on his long term recovery plan. The Board stated that he will want to keep good track of his personal checks and balances to maintain sobriety.

7. **Margaret Parker (Heine), LMFT, License No. 35002100A**
Cause No. 2021 BHSB 0007

Ms. Parker appeared as requested to discuss her ongoing probation. She stated that for her personal counseling she tried online therapy and found that it did not work for her. She currently has a therapist that will complete in person therapy. Ms. Parker provided copies of her employment reports. She stated that she is now working at Crosswinds as a therapist since January. The Board staff noted that they have not received a copy of her signed order from the new employer yet. Ms. Parker stated that she has had no issues with her new employer, Ms. Parker stated due to her pregnancy she may have a problem attending her next probation appearance. .

8. **Nathaniel Wagner, LMHC, License No. 39003306A**
Cause No. 2022 BHSB 0022

Mr. Wagner appeared as requested to discuss his ongoing probation. He stated that all his criminal charges have been resolved and he is on criminal probation until August. Mr. Wagner stated that he completed all CE requirements for his licensure probation. The Board noted that they have not received copies of his completed continuing education certificates. The Board informed him to ensure that all reports and his continuing education certificates are submitted before his next appearance. Mr. Wagner stated that nothing else has changed with his address or work. He stated that he meets with his supervisor regularly and things are going well. The Board noted that he is licensed in Florida and asked if he reported the action taken by the Board. Mr. Wagner stated that he has, but that Florida has not taken any action as of this date.

B. Reinstatement

1. **Stacy Howard, LSW, License No. 33004830A**

Ms. Howard did not appear.

2. **Jason Moore, LSW, License No. 33004591A**

Mr. Moore appeared as requested to discuss the reinstatement of his license that expired in 2004. Mr. Moore submitted copies of his continuing education and a letter for the Board to review. The Board expressed concerns that he was engaging in the practice of social work since 2017. Mr. Moore stated that he was employed at St. Franciscan Hospital as a discharge planner. He provided the Board with a summary of his job duties, stating that his understanding that the work he was doing was bachelor level work that did not require a license. After discussion, the Board stated that the duties, as he described, are not bachelor level work and would require a license. Mr. Moore stated that his employment did not require a license. The Board stated that discharge planning as he described is a MSW level job that requires a license and requires a license to perform those tasks.

Board Action: A motion was made and seconded to reinstate Mr. Moore's social work license on indefinite probation with the following terms and conditions:

- The Applicant's current home address, mailing address, e-mail address and residential telephone number.

- The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.
- The Applicant's title and work schedule, including the number of hours worked per week.
- The Applicant shall take and pass the Indiana jurisprudence examination.
- The Applicant shall provide copies of this Order signed by any employers within ten (10) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (10) days of starting employment.
- The Applicant shall comply with all statutes and rules regulating the practice of social work and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- The failure of the Applicant to comply with the terms of his probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Harner/Viehweg

Motion carried 5-1-1 (Furgeson no, Justice abstained).

C. Application

1. **Kandace Barkham (LCSW & LCAC)**

Ms. Barkham appeared as requested to discuss her yes response to the question regarding past arrests. She provided a statement and supporting documentation for the Board to review. She informed the Board that she is currently sober and attends personal therapy, including seeing a psychiatrist. She informed the Board that she is opening her own practice in Indiana and is currently licensed in Kentucky, with a provisional license in Nevada.

Board Action: A motion was made and seconded to approve Ms. Barkham's application pending the completion of the jurisprudence exam.

Harner/Viehweg

Motion carried 7-0-0

2. **Stephanie Bell (LMHCA)**

Ms. Bell appeared as requested to discuss why she did not disclose her background. In 2016, Ms. Bell was charged with driving while suspended and possession of marijuana. She provided a statement and supporting documents for the Board to review. She completed a pretrial diversion program and charges were dismissed. Ms. Bell stated that she thought the Board was asking about convictions. She stated that her incident was dismissed, so she had misread the question.

Board Action: A motion was made and seconded to approve Ms. Bell's application for a mental health counselor associate license pending the NCE examination.

Richardson/Justice

Motion carried 7-0-0

3. **Bailey Briggeman (LCSW)**

Ms. Briggeman appeared as requested to provide clarification on her experience and supervision. The Board noted that her documentation of her experience and supervision was unclear. The Board stated that her time at Life Solutions appears to have both licensed and unlicensed practice listed. Ms. Briggeman stated that she graduated in August of 2021 and obtained a temporary permit. She worked at Life Solutions starting in 2020. The Board stated her documentation shows 2019. The Board informed her she can only count time from the issuance of her temporary permit, and if she is working part time at the rate, she has listed, she would not be eligible for LCSW licensure until August of 2023. The Board requested that she provide corrected employment and supervision forms with starting time from 2020.

The Board tabled her application at this time.

4. **Leonard Burch (LSW)**

Mr. Burch did not appear. He will be rescheduled for April 24, 2023.

5. **Adam Gayer (LMHCA)**

Mr. Gayer appeared as requested to discuss his work history. The Board expressed concerns that he has been working without a license since graduation. Mr. Gayer stated that he graduated from the University of Saint Francis and started working as a therapist in 2019. He stated that he had difficulties in obtaining his license and then COVID occurred that delayed him further. The Board stated that what he had been doing is working without a license, and there were no waivers of working without a license for COVID. The Board also informed him that the hours he obtained without a license cannot be counted for his LMHC license. Mr. Gayer stated that he has two letters of support from his current supervisors if the Board has concerns on the quality of his work.

Board Action: A motion was made and seconded to approve Mr. Gayer's application to sit for the NCE examination and issue a temporary permit/licensure on indefinite probation for no less than three (3) months with the following terms:

- Must complete the Indiana jurisprudence examination.
- Must provide a copy of his Final Order signed by his employer within ten (10) days of receipt of the probation order.

Richardson/Justice
Motion carried 7-0-0

6. **Tarance Jones (LAC)**

Mr. Jones appeared per his request to discuss his application. The Board reviewed his application and determined that he would have to submit additional employment and supervision. The Board noted that he can count his employment from September 2020 to the present. The Board inquired how his supervision was done. Mr. Jones stated that it was virtual supervision. The Board noted that they can accept his individual supervision at 65 hours, and he needs to provide at least 100 hours. Mr. Jones stated that he had another supervisor while he worked at Aspire, and he completed 50 hours of individual supervision under them. The Board stated that they will need documentation of that supervision. Mr. Jones provided copies of his additional experience and supervision to the Board. They noted that the forms will need to be reviewed with Board staff before they can vote on his application.

The Board tabled her application at this time.

7. **Tina Jones-White (LSW)**

Ms. White did not appear for her appearance at this time.

8. **Whitney McKim (LMHC)**

Ms. McKim appeared as requested to provide clarification on her work history. She provided information on her application that she had been working as a therapist since she graduated in 2018 without a mental health associate license. She stated that she completed a hybrid program at Liberty University and was working with the Joint Commission in order to meet the educational standards required for licensure. She stated that she was informed she could practice therapy until she became licensed eligible. The Board stated that in order to practice in Indiana, you must hold at least a mental health associate license to practice. Ms. McKim stated that she has been working as a Regional Director since 2019, not as a therapist. The Board stated that the documentation she provided shows her working as a therapist, and that the hours she obtained cannot be used as she did not have an associate license. Ms. McKim stated that the practice of therapy falls under the Joint Commission, and that exempted her from licensure. The Board informed her that she was incorrect as that does not fall under the exemption list. Ms. McKim inquired about DCS as some of their practioners are not licensed. The Board stated that there are exemptions for DCS but that is a bigger conversation to be had at a different time.

Board Action: A motion was made and seconded to switch Ms. McKim's application to mental health counselor associate license and approve her to take the NCE examination. Upon passing the examination her mental health associate license will be placed on indefinite probation with the following terms and conditions:

- The Applicant's current home address, mailing address, e-mail address and residential telephone number.
- The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.
- The Applicant's title and work schedule, including the number of hours worked per week.

- The Applicant shall take at least ten (10) Continuing Education Units (“CEUs”) in ethics or licensure and submit documentation of those CEUs to the Board.
- The Applicant shall provide copies of this Order signed by any employers within ten (10) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (10) days of starting employment.
- The Applicant shall take and pass the Indiana Jurisprudence examination.
- The Applicant shall comply with all statutes and rules regulating the practice of clinical addictions counseling associate and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- The failure of the Applicant to comply with the terms of his probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Richardson/Justice
Motion carried 7-0-0

9. **Brea Parrott (LMHCA)**

Ms. Parrott appeared as requested to discuss her yes response regarding past arrests. She provided a statement and supporting documentation for the Board to review. Ms. Parrot was convicted of operating while intoxicated in 2010 and 2013. In 2015 she was convicted for maintaining a nuisance. This was the last incident and has had no issues since that time. She provided the Board with information regarding her self-care plan and support system. The Board noted that she meets the educational requirements with modifications.

Board Action: A motion was made and seconded to approve Ms. Parrott’s mental health counselor associate application and to sit for the NCE examination.

Richardson/Harner
Motion carried 6/0/1 Justice abstain.

10. **Carrollynn Sharp (LMHCA & LCACA)**

Ms. Sharp appeared as requested to discuss her yes response regarding past arrests. She provided a statement and supporting documentation for the Board to review. She stated that her incidents were dismissed by the courts, and they occurred during a low point in her life. She stated that she is currently employed and under supervision. The provided the Board information on her self-care plan and a brief summary of what she discusses with her supervisor. The Board noted that she meets educational requirements for both the LMHCA and LCACA licensure.

Board Action: A motion was made and seconded to allow Ms. Sharp to test for her licensure exams.

Richardson/Justice
Motion carried 7-0-0

11. **Carlyn Smith (LCAC)**

Ms. Smith appeared as requested to provide clarification on her work history. She provided information on her application that she has been working as a Counseling Associate since 2016. Ms. Smith stated that at the time of her graduation, there was no associate license to obtain to practice. She informed the Board that her understanding was that she could practice, provided she was under supervision. She stated she has been working part time to earn her hours. The Board inquired if she had obtained a different counseling license. Ms. Smith stated that she did not. The Board stated that the associate license was available in 2017, and inquired if she pursued obtaining the license then. She stated that she did not as she was informed that she could practice as long as she was under supervision. Ms. Smith stated that she also discussed her situation with Dr. Osborn, a former Board member, about her situation. The Board discussed with her regarding the importance of staying on top of the changes in the laws for the profession and informed her that the grandfathering period for the addictions licenses has already passed. The Board stated that she can count time from the time she graduated to when the law changed to require an associate license in 2017. They continued to inform her that any time after 2017 is considered unlicensed practice. The Board stated that if she had held another license at the time, they could have counted the hours after 2017, but as she did not hold a license to practice, they cannot count those hours toward licensure.

Board Action: A motion was made and seconded to switch Ms. Smith's application to a clinical addiction counselor associate and approve her to sit for her examination. The Board also vote to issue her temporary permit on indefinite probation with the following terms and conditions:

The Applicant may not petition for withdraw of the probation for at least three (3) months from the date of March 27, 2023.

The Applicant must keep the Board apprised of the following information in writing and update it as necessary:

The Applicant's current home address, mailing address, e-mail address and residential telephone number.

The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.

The Applicant's title and work schedule, including the number of hours worked per week.

The Applicant shall take at least ten (10) Continuing Education Units ("CEUs") in ethics or licensure and submit documentation of those CEUs to the Board.

The Applicant shall provide copies of this Order signed by any employers within ten (10) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (10) days of starting employment.

The Applicant shall take and pass the Indiana Jurisprudence examination.

The Applicant shall comply with all statutes and rules regulating the practice of clinical addictions counseling associate and report any future arrests, work discipline, or terminations to the Board immediately in writing.

The failure of the Applicant to comply with the terms of his probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Justice/Harner
Motion carried 7-0-0

12. Jennifer Snider (LMHC)

Ms. Snider appeared per her request to discuss her application. Ms. Snider is a 2011 graduate of Regent University and was granted her mental health counselor associate license on October 19, 2021. She is requesting the Board to allow her to count post degree experience and supervision hours prior to the issuance of her mental health counselor associate license on the basis of her graduation date occurring prior to 2014. The Board stated that they cannot count her hours prior to the issuance of her associate license. The Board stated that the hours she obtained are considered unlicensed practice. The Board stated that she has to hold her associate for at least 21 months and obtain hours under the associate license. The Board requested that she provide updated employment and supervision forms. Ms. Snider's application was tabled at this time.

13. Tracy Stillman (LSW)

Ms. Stillman will not be attending this meeting. She will be rescheduled for the April 2023 meeting.

14. Deja Thomas (LSW)

Ms. Thomas did not appear as requested.

15. Zachery Wick (LSW)

Mr. Wick appeared as requested to discuss his yes response regarding past arrests. In 2019, Mr. Wick was arrested for an OWI. He provided a statement and supporting documentation for the Board to review. He informed the Board that all matters have been resolved with the courts, and he completed his treatment. Mr. Wick is a 2022 graduate of Indiana Wesleyan University and is currently employed at Hickory House.

Board Action: A motion was made and seconded to approve Mr. Wick's social work application and to sit for the ASWB Masters examination.

Harner/Viehweg
Motion carried 6/0/0 (Richardson not present.)

16. Jennifer Wilkey (LSW)

Ms. Wilkey appeared as requested to discuss her yes response regarding past arrests. She provided a statement and supporting documentation for the Board to review. From 1992 to 2014 Ms. Wilkey has had several convictions relating to drugs and alcohol. She informed the Board that she has remained sober for past eleven (11) years and currently works with the courts helping those with addictions.

Board Action: A motion was made and seconded to approve Ms. Wilkey's social work application and to sit for the ASWB maters examination.

Harner/Viehweg
Motion carried 6/0/0 (Richardson not present.)

V. ADMINISTRATIVE HEARINGS

A. Lisa Wanner, LMHC, License No. 39002689A

Cause No. 2022 BHSB 0012

Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Respondent was not present.

Counsel for Respondent Todd Ess not present

Sha'Nay Terry, Deputy Attorney General, Office of the Attorney General

Lindy Myer, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)

Jon Ferguson, LMFT, LCAC

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Jackie Eitel, RN, Consumer Member

Case Summary: On or about June 16, 2022 an Administrative Complaint was filed against Ms. Wanner with allegations that she knowingly violated the statute and rules of the profession, that she failed to advance the welfare and interests of her client by entering into a romantic relationship with her client, that she referred her client to other therapists in order to continue her romantic relationship with her client, and that she engaged in activity that might lead to harm of her and her client. On or about March 9, 2023 a Proposed Settlement Agreement was reached with the following terms:

- The parties execute this Agreement voluntarily.

- Both parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
- Petitioner agrees the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against Respondent’s Indiana L.M.H.C. license.
- Respondent’s Indiana L.M.H.C. license is placed on INDEFINITE SUSPENSION FOR A MINIMUM OF ONE (1) YEAR from the date of the final order.
 - Prior to reinstatement, Respondent shall:
 - Respondent shall receive a fitness for duty and psychological examination from an HSPP within two (2) months of her reinstatement petition. Respondent shall submit the results to the Board and shall follow all recommendations made by the HSPP.
 - Complete six (6) continuing education hours in professionalism/ethics and six (6) continuing education hours in boundaries. Respondent shall submit proof of completion to IPLA.
 - Respondent shall pay a FEE of FIVE DOLLARS (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.
 - Respondent has carefully read and examined this agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.
 - Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of counseling, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent’s license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent’s license.

The State requests that the Board accept the terms of the Settlement.

Board Action: A motion was made and seconded to approve the Proposed Settlement Agreement in the matter of Ms. Wanner as read.

Richardson/Justice
Motion carried 7-0=0

B. Angela Sprock Freed
Cause No. 2023 BHSB 0007
Re: Petition for Review

Parties Present:
Respondent was present.

Lindy Myer, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)
Jon Ferguson, LMFT, LCAC
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC
C. Martin Justice, LMHC, LCAC
Andrew Harner, MSW, LCSW
Stephan Viehweg, MSW, LCSW
Jackie Eitel, RN, Consumer Member

Case Summary: On or about February 22, 2023 Ms. Freed's application for LMHC was denied on the basis that she did not pass the NCMHCE examination. Ms. Freed requested an appeal as she missed passing the exam by two (2) points. Ms. Freed provided Exhibits A, B, and C for the Board to review. These exhibits were copies of her exam failure notice from IPLA and email correspondence regarding her exam attempt with IPLA. Ms. Freed provided Exhibits D, E, F, G, and H which are letters of referral and support. Ms. Freed stated that the exam was in a new format, and new administrative changes that occurred during her time to take the exam. She stated that she was supposed to have a fifteen (15) minute break during the exam, was not granted one. She informed the Board that she also had difficulties with specific functions of the exam program and troubleshooting these troubles with the exam proctor. The Board inquired if she brought these difficulties up with the exam service. She stated that she did not have time during the exam, and the exam service only allows a petition to be submitted within ten (10) days from the date of the exam. She stated that by the time she thought to petition the window had passed. She provided the Board with her studying strategies to prepare for the exam and stated that the environment was not set up for her to show her knowledge.

Board Action: A motion was made and seconded to uphold the original decision to deny the application based upon failure of the NCMHCA examination in the matter of Ms. Freed.

Richardson/Justice
Motion carried 7-0-0

C. David Shields, LCSW, License No. 34003290A

Cause No. 2016 BHSB 0014
Re: Order To Show Cause

Parties Present:

Respondent was present.
AJ Holbrock, Deputy Attorney General, Office of the Attorney General
Lindy Myer, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)
Jon Ferguson, LMFT, LCAC

C. Martin Justice, LMHC, LCAC
Andrew Harner, MSW, LCSW
Stephan Viehweg, MSW, LCSW
Jackie Eitel, RN, Consumer Member

State Witness:

Cindy Vaught, Board Director, Indiana Professional Licensing Agency

Case Summary: On or about March 7, 2023 an Order to Show Cause was issued against Mr. Shields on the basis that Mr. Shields does not appear to be in compliance with his probationary requirements. On or about December 10, 2020 Mr. Shields' license was placed on probation with the following terms:

- License shall be reinstated on Indefinite Probation for at least one year from the date of the Order.
- Respondent shall remain on probation until the Board withdraws the probation after a hearing.
- Respondent shall keep the Board informed of any change in his home address, telephone number, e-mail address, place of employment, or occupation title.
- Respondent shall make quarterly appearances before the Board.
- Respondent's practice shall be supervised by a licensed clinical social worker, who shall submit quarterly supervision reports to the Board.
- Respondent shall follow the recommendations of his treating psychiatrist, including but not limited to any recommendations regarding abstinence from alcohol or other substances. If therapy is recommended, Respondent shall engage in therapy with a therapist who is familiar with co-occurring disorders.
- Respondent shall submit quarterly reports from his treating psychiatrist summarizing his treatment and the psychiatrist's recommendations.
- Respondent shall submit reports of his homocysteine level from his annual physical exam.
- Respondent shall not violate any laws regulating the practice of clinical social work.
- The failure of Respondent to comply with these terms may subject him to a show cause hearing and the imposition of further sanctions.

On or about December 15, 2022 Ms. Shields' petition for withdraw of probation was denied due to not meeting the probation requirements, and Mr. Shields' probation terms were modified to include:

- Comply with all terms and conditions in the Board's December 10, 2020 Order.
- Complete any and all criminal matters, including any criminal sentences imposed.
- Report in writing, within seventy-two (72) hours, any new criminal matters.
- Report in writing, within seventy-two (72) hours, any updates in open criminal matters.
- Identify a Clinical Social Worker licensed in Indiana to provide clinical supervision. A plan of supervision shall be submitted to the Board for consideration at Respondent's next appearance before the Board.
- Undergo a comprehensive psychiatric and substance use disorder examination by a psychiatrist who specializes in co-occurring disorders.
- Provide a copy of the psychiatrist's report to the Board and follow any and all recommendations made as a result of the evaluation.
- Respondent must maintain his license in active status at all times while this order is in effect. If Respondent fails to maintain his license in active status, the Board shall deny any renewal application filed by the Respondent unless Respondent agrees to continue the terms of discipline ordered under this cause number on the renewed license.

Mr. Shields stated that he has been doing everything he can do to comply with his probation order. He stated that received two cases of COVID, mono, ear infections, and other health issues. He stated these struggles are why he has not been able to appear before the Board for his probationary appearances. He informed the Board that he does have a supervisor, Charles Bowman, but is struggling to find a psychiatrist. He stated that he was going to ask the Board for clarification and assistance in this matter. Mr. Shields stated that some psychiatrists either do not do the exam that the Board is requesting, did not have the correct credentials, or that they did not have availability. Mr. Shields stated that he does not have any documentation of his attempts. The Board inquired into Mr. Shields supervision. He stated that he was receiving supervision throughout his probation; however, his first supervisor did not meet the standards the Board wanted, so he started supervision with Mr. Bowman two months ago. Mr. Shields stated that he felt he is complying with his probation and does not feel like the Board has been fair in his situation. He stated he felt that the Board is not being clear in what they want from him. He provided the Board with information on his most recent physical and stated he provided the Board with his homocysteine levels the last time the Board requested to see it. Mr. Shields stated that he is practicing as a clinical supervisor, and not seeing clients at this time.

The State called Ms. Cindy Vaught, Board Director of IPLA as a witness. Ms. Vaught confirmed she is the keeper of record for Mr. Shields' case. She stated that Mindy Hughett is listed as Mr. Shields clinical supervisor, and he has not notified IPLA of any change. He has not submitted to IPLA any quarterly reports, and his last appearance before the Board was in October 2022. She stated that Mr. Shields was scheduled to appear at the January and February 2023 Board meetings to discuss his probation progress. She stated that IPLA did not receive notice on why he was unable to provide his quarterly reports. Ms. Vaught stated that Mr. Shields did email in January and February that he would be unable to attend the Board meeting, but did not provide a reason, or any supporting documentation. She stated that Mr. Shields did not report that he was having issues obtaining a psychiatrist. Currently her records show that Mr. Shields is missing five (5) quarterly reports since he was placed on probation. Ms. Vaught stated that Mr. Bowman does have the correct credentials to be a supervisor.

The State informed the Board that Mr. Shields has not shown he has met his probation terms as he has not provided his quarterly reports, not followed the supervision requirements outlined in his probation order, has not obtained a psychiatrist, and has not been present as his quarterly Board appearances. He has not provided any documentation that support his testimony. The State informed the Board that Mr. Shields discipline has been ongoing, and he has not demonstrated that he is complying with his order or provided information to show any circumstances on why he is unable to comply.

Mr. Shields stated that he feels he is complying with his order, and he understands if he has missed a few appearances due to illness. He stated that he is trying to give the Board what they need.

Board Action: A motion was made and seconded that the Board has determined that Mr. Shields is not in compliance with his probation order.

Harner/Viehweg
Motion carried 6-0-0

Board Action: A motion was made and seconded to suspend Mr. Shields' license with the following terms:

- Indefinite Suspension for no less than three (3) years
- Prior to his request to come off suspension Mr. Shields must comply with the following:

- Fitness for duty completed by an HSPP licensed by the State of Indiana who is not associated with Mr. Sheild's office and must be complete within thirty (30) days prior to his request to come off Suspension.
- Must provide the Board with a statement within three (3) months of his final order that he has ceased and separated from all clinical functions at Kenosis Counseling Center.
- Must pay the cost of these proceedings in the amount of \$110.00. The cost must be paid prior to the reinstatement of his license to IPLA.

Harner/Viehweg
5/1/0 Ferguson nay

SETTLEMENT AGREEMENTS

A. Bojana Sancanin

Cause No. 2023 BHSB 0002

Re: Motion for Cease and Desist and Agreed Proposed Order

Parties Present:

Respondent was not present.

Ryan Eldridge, Deputy Attorney General, Office of the Attorney General

Lindy Myer, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, (Hearing Officer)

Jon Ferguson, LMFT, LCAC

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Jackie Eitel, RN, Consumer Member

Case Summary: On or about February 14, 2023 a Motion to Cease and Desist was filed against Ms. Sancanin for unlicensed practice as a psychotherapist. On or about March 16, 2023 a Proposed Settlement Agreement was reached with the following terms:

- Respondent shall immediately Cease and Desist advertising and/or performing psychotherapy services in Indiana without the required licensure, as they constitute the practice of psychology and/or behavioral health.

Mr. Elridge stated that Ms. Sancanin does not currently hold a license in Indiana as a counselor or as a psychologist. She is currently listed on the company website as a psychotherapist providing therapy and diagnosis in Indiana. There are other practitioners listed on the company website that might need additional follow up if the Board would like to file complaints on those individuals. Mr. Elridge stated that this information and Settlement has been provided to the Indiana State Board of Psychology as of March 16, 2023. He stated that this occurred due to Ms. Sancanin's belief that as long as she was supervised by an LMHC licensed in Indiana, she could work in the State under her Out of State license.

Board Action: A motion was made and seconded to approve the Proposed Settlement Agreement in the matter of Mr. Sancanin.

Viehweg/Harner
Motion carried 7-0-0

VI DISCUSSION

A. Reciprocity Applications

Evan Bartel, Deputy Director of Indiana Professional Licensing Agency, was present to discuss the review process for reciprocity applications. The Board stated that they have requested that all reciprocity applicants take the Indiana jurisprudence examination to ensure that they are aware of Indiana's State laws. Mr. Bartel stated that he understands the Board's concerns, but as they are already licensed in another State those professionals should be aware of the importance of following the laws. He stated that IPLA can modify the online application to have reciprocity applicant sign off that they understand that they have read the laws and regulations for Indiana. Mr. Bartel stated that IPLA is trying to streamline the application process in order to address portability.

Board Action: A motion was made and seconded to no longer require reciprocity applicants to take the law examination, and instead have an acknowledgement that the applicant has read the statute and rules during the licensing process.

Viehweg/Richardson
Motion carried 7-0-0

B. Scope of Practice- Discharge Planning

The Board noted that a number of applicants have appeared before them to discuss their unlicensed practice. They stated that the job duties these individuals appear to be doing is discharge planning. The Board discussed the duties of this position and whether it falls into the scope of licensed practice for the professions of Mental Health, Social Work, Marriage and Family Therapy, and Addictions Counseling. Board counsel stated that if there is a concern on title protection the Board is welcome to ask for a list of duties and the applicants can appear to ensure that what their duties are does not veer into the realm of clinical work.

VII. APPLICATIONS FOR REVIEW

There were no applications for review.

VIII. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

The Attorney General's office reported to the Board that they have 10 new complaints opened with 121 current open complaints and they have closed 40 since the beginning of the year. Primarily the complaints have been from Marion County followed by Hamilton County. The content of the complaints are unprofessional conduct, unlicensed practice, and professional incompetence. The average age of the open complaints is 8.7 months and primarily against Mental Health Counselors and Clinical Social Workers.

There are currently 24 open litigation cases with only 10 closed this year. The average duration of the litigation cases are 10.4 months. The litigation has occurred mostly in

Marion County followed by Hamilton. The current litigation charges are for unprofessional conduct followed by lewd/immoral conduct. Primarily the charges have been filed against Clinical Social Workers followed by Mental Health Counselors.

IX. FORMAL ADOPTION OF APPLICATION REVIEWS

A motion was made and seconded to formally adopt the application reviews.

Viehweg/Justice
Motion carried 7-0-0

X. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

A. Indiana Behavior Association

Application was reviewed and the Board noted that they do not know the objectives of the Provider. The Board stated that they would be willing to approve the Provider if they can see what the objectives they are trying to achieve as a CE Sponsor.

Board Action: A motion was made and seconded to approve pending receipt of CE Sponsor objectives.

Harner/Richardson
Motion carried 7-0-0

XI. OLD/NEW BUSINESS

The Board discussed what they will require for the 50% virtual supervision. The Board staff stated that the applicants can provide a statement and it can be reviewed by IPLA and the Board sections if there are concerns.

XII. ADMINISTRATORS' REPORT

There was no administrator's report.

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 4:45 p.m. by general consensus.

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW
Board Chair

Date